

association of CDFIs, our mission lenders. She warned us that “thousands of business owners will not receive access to PPP without an extension.”

She told us about a CDFI in Jackson, MS, that estimates that 1,300 loans from small businesses that applied for PPP will not receive funds if we do not extend the deadline. Of these 1,300 applicants, 98 percent are businesses with fewer than 20 employees, 95 percent are minority-owned, and nearly 100 of them are veteran- or veteran-spouse-owned small businesses.

This is only one CDFI out of hundreds nationwide. The story will be repeated—those that have been left out. The committee has also been urged to extend the deadline by the business community. On March 15, more than 90 chambers of commerce, trade groups, and business organizations sent a letter urging extension, and they said:

Nearly one year into the COVID-19 pandemic, the continued liquidity challenges of the small business sector are acute.

It is clear that there is still an overwhelming need for PPP loans, which is why the PPP Extension Act passed the House of Representatives by a 415-to-3 vote. This is bipartisan. The bill that we are talking about is sponsored by Senator COLLINS. Senator SHAHEEN and I are also on that bill.

The good news is that the resources are there. We have been informed by the SBA that the extension of the deadline can work within the funds that have already been made available by Congress. The money is there.

This is not the first time we have done this. I must remind my colleagues that, last year, as PPP was approaching its deadline, I brought a bill to the floor of the Senate and worked with Senator RUBIO to give small businesses more time to get their applications filed. I must also remind my colleagues that we passed that extension to preserve access to PPP while we continued negotiating on broader changes to the program. We need to do the same thing again.

I know that there are other modifications to the program that we will have an opportunity to discuss, and I am committed to conducting those discussions in the same bipartisan manner that I have approached the development of these programs. In fact, later today, in just 45 minutes, there will be a hearing of the Small Business Committee where we will be doing oversight on the programs that we made available during COVID-19, and we will have representatives from government responsible for those programs, including the SBA.

But the bottom line: We first need to extend the program. We have got to make sure it doesn't expire next week. We must get this done. The need is there, and the funds are there.

EQUAL RIGHTS AMENDMENT

Mr. President, I rise to celebrate Women's History Month and support S.J. Res. 1, legislation I introduced with my partner in this effort, Senator MURKOWSKI of Alaska.

Our bipartisan legislation would remove the deadline for the States' ratification of the Equal Rights Amendment, the ERA, and I am pleased that the House adopted the companion version of this legislation, H.J. Res. 17, last week. I now urge the Senate to take up and pass this legislation.

Ratification of the ERA would expressly prohibit discrimination on the basis of sex in the U.S. Constitution. The amendment simply reads:

Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

In January 2020, Virginia became the 38th State to ratify the ERA, which was first proposed in 1972. Congress has the authority under article V of the Constitution to set and change deadlines for the ratification of constitutional amendments and has done so on numerous occasions. Recall that, in 1992, the 27th amendment of the Constitution, prohibiting immediate congressional pay raises, was successfully ratified after 203 years. That amendment was initially proposed as part of the original Bill of Rights in 1789.

There should be no time limit on equality. Even as we celebrate America's first female Vice President, our Nation is held back as the only modern Constitution that fails to enshrine full equality for both men and women. This is unacceptable. Most Americans are surprised to learn that the ERA is not already part of the U.S. Constitution. The States have done their job to make this happen. Now Congress must finally do its job and remove any legal obstacle to certifying the ERA.

Women were indeed left out of the Constitution intentionally by our Founding Fathers. American women, however, did demand equality as our country was being founded. In a letter in March 1776, Abigail Adams wrote to her husband John Adams, urging him and other members of the Continental Congress not to forget about the Nation's women. The future First Lady wrote, in part:

I long to hear that you have declared an independence. And, by the way, in the new code of laws which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than your ancestors. Do not put such unlimited power into the hands of the husbands. Remember, all men would be tyrants if they could. If particular care and attention is not paid to the ladies, we are determined to foment a rebellion, and will not hold ourselves bound by any laws in which we have no voice or representation.

Sadly, the Founding Fathers did not heed Abigail Adams' call. Most notably, women were denied the right to vote for nearly 150 years. More broadly, women were treated as second-class citizens through our Nation's history and were denied other basic and fundamental rights, such as being able to own property or work in their chosen occupation.

Women comprise a majority of the underrepresented in government, elected office, the courts, and the business

world. Without the ERA in the Constitution, the statutes and case law that have produced major advances in women's rights since the middle of the last century are vulnerable to being ignored, weakened, or even reversed.

Congress can amend or repeal anti-discrimination laws by a simple majority. A new administration can fail to vigorously enforce civil rights statutes. The Supreme Court can use a lower standard of intermediate scrutiny to permit certain regressive forms of sex discrimination.

Indeed, even today, women do not receive equal pay for equal work. The ERA would provide a needed constitutional basis for legislation advancing women's equality. Historically, the equal protection of the laws clause of the 14th Amendment has been used to fight discrimination on the basis of gender. However, without language in the Constitution specifically establishing that there shall be no denial or abridgement of rights on the basis of sex, the Supreme Court will likely continue to apply a lower level of scrutiny in cases related to discrimination against women. By contrast, the Supreme Court uses the “strict scrutiny” test in reviewing cases of racial and religious discrimination.

As former Supreme Court Justice Antonin Scalia, a fervent originalist, once stated, “Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't.”

Former Supreme Court Justice Ruth Bader Ginsburg stated:

Every constitution written since the end of World War II includes a provision that men and women are citizens of equal stature. Ours does not. . . . If I could choose an amendment to add to the Constitution, it would be the Equal Rights Amendment. I would like my granddaughters, when they pick up the Constitution, to see that notion—that women and men are persons of equal stature—I'd like them to see that in a basic principle of our society.

Public polling indicates that the country is ready for the ERA. Today, nearly half the States—including Maryland and Alaska—have a version of the ERA written into their State constitutions. In the era of “Me Too,” there has been a renewed energy for adopting the ERA, as society finally addresses the longstanding problems of violence and sexual harassment against women and demanding justice and accountability.

Just a few weeks ago, we celebrated International Women's Day worldwide, on March 8, with the 2021 theme: “Choose to Challenge.” It is now far past the time we bring the conversation of women's equality and empowerment to center stage.

The United States of America is one of the most developed, wealthiest, and admired countries in the world today, and immigrants from all over the world continue to travel to the United States to pursue their dreams and make a better life for themselves and their families. However, to this very day, the

Constitution of the United States, our Nation's supreme law of the land, still does not declare that men and women are of equal stature. The passage of this historic amendment would truly never be more possible or needed as it is today.

Let me quote from President Biden's statement on the ERA, upon the House passage of this legislation last week:

Gender equality is not only a moral issue. The full participation of women and girls across all aspects of our society is essential to our economic prosperity, our security, and the health of our democracy. This is especially critical right now, as the collision of a public health crisis, economic crisis, and caregiving crisis has erased decades of women's economic gains and pushed more women out of the American workforce than we've seen in more than 30 years.

President Biden concluded:

It is long past time that we enshrine the principle of gender equality in our Constitution.

Let me address one other issue regarding a recent decision on the ERA and the validity of the State ratification under the previous congressional deadlines. In this case, decided by Judge Contreras in the United States District Court for the District of Columbia, it is just as important to discuss what the judge did not hold in his decision. Notably, the judge in this case wrote:

Equally significant as the Court's holding is what it does not hold. . . . Congress has not tried to revive the ERA despite both deadlines' expirations, so the Court is not confronted with that difficult issue. . . . Lastly, the Court does not express an opinion on the merits of the ERA as a matter of policy. It merely enforces a procedural time limit that Congress set when proposing the amendment.

In my view, this decision makes the need for decisive congressional action clearer than ever on this procedural time limit, using the power of Congress under Article V of the Constitution. It is far past time for Congress to take up and pass this legislation that would remove the time limit for the ERA ratification, which will remove any remaining legal ambiguities about congressional intent. Let us take up and pass this legislation without further delay, and finally write equality between men and women into our Constitution.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

UNANIMOUS CONSENT REQUEST—S. 80

Ms. ERNST. Mr. President, it has become all too easy for pundits and politicians to reduce the security of our borders to a bumper sticker or billboard slogan.

As someone who appreciates the value of human life, as a survivor of sexual assault, and someone who cares deeply about the safety and security of women and children across the globe, I am horrified that we continue to put border security at the bottom of our policy to-do list.

On January 31, 2016—the same day as her college graduation—Iowan Sarah

Root was killed by an illegal immigrant named Edwin Mejia. He was dragging, with a blood alcohol level more than three times the legal limit.

Despite repeated requests by local law enforcement, Immigration and Customs Enforcement failed to detain Mejia because of a catch-and-release policy that ultimately allowed him to escape the country. Unfortunately, this is the same policy that President Biden supported during the Obama administration.

Still, more than 4 years later, Mejia remains a fugitive, denying Sarah's loved ones any sense of justice or closure. After today, I will have now live UC'd this bill twice, and I expect the same thing to happen today as did last time; that it will be objected to by my Democratic colleagues.

As a mother, I cannot fathom the grief that Sarah's family, her mother and father Michelle and Scott, her brother, and her friends continue to feel after such a devastating loss.

Sarah had her whole future in front of her, but her opportunity to make her mark on the world was tragically cut short. At the same time, while Sarah Root's mother and father grieve, a child, without a parent, continues to make the perilous journey at the hands of a smuggler. Many arrive here dehydrated and malnourished and subject to unspeakable atrocities, from rape to assaults.

Since Inauguration Day, we have seen record numbers of children at the border, a heartbreaking humanitarian crisis. Before then, the Migrant Protection Protocols, or the "Remain in Mexico" policy, was in place and helped keep migrants safely in Mexico until the United States had a chance to process them.

This policy singlehandedly reduced the need for bed space in the United States, protected migrants from that treacherous journey through Mexico, and kept our facilities from being dangerously overcrowded. Border Patrol agents were able to return to their originally assigned duties of patrolling for drugs and human traffickers.

But as we have heard time and again, and something that is very true, elections have consequences. President Biden, before he even had the chance to unpack, made serious changes to immigration policies—changes that have resulted in the national emergency at the U.S.-Mexico border.

First, he rolled back the "Remain in Mexico" policy, and that is a big reason why we have a crisis at the border today. Instead of keeping migrants in Mexico and deterring those from making the dangerous journey north, the vacancy sign is on. But the reality is, we are out of space.

It feels as if the Biden administration is starting to see the reality of the disaster they created at our southern border. They are now walking this reversal back and asking the Mexican Government to reinstate the previous administration's policy.

On his first day in office, President Biden signed an Executive order suspending all domestic deportation proceedings. If Sarah Root's story played out today, Immigration and Customs Enforcement would not pick up her killer, and the same tragedy could happen again and again.

Although nothing can bring beautiful Sarah back to her family, we can ensure that the Federal Government never makes this mistake again.

Today, I rise to call upon my Senate colleagues to help make that happen, to stop another tragedy like Sarah's from happening with a simple and clean fix. I am asking the Senate to join myself and 22 of our colleagues and pass my bill, Sarah's Law.

Sarah's Law is simple: It requires that ICE take custody of a person who is in the country illegally if they are charged with a crime that seriously injures another person. It also mandates a better victim notification system that lets victims and their families—like the Root family—know what happened to their loved ones.

Sarah's Law is about as common-sense an effort as there is. It recognizes the simple fact that all criminals should be held accountable for their actions—all criminals—and not simply allowed to slip back into the shadows. If Sarah's Law is passed, people who are in this country illegally and murder another person would be prioritized for deportation if released.

Who could be opposed to this?

In fact, a previous vote on this bill in the form of an amendment was supported by the majority of the Senate and was bipartisan.

No family should ever have to endure such a tragedy, especially one that could have been prevented.

Madam President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 80 and the Senate proceed to its immediate consideration. Further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Ms. ROSEN). Is there objection?

Mr. DURBIN. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Democratic majority whip.

Mr. DURBIN. The Senator from Iowa tells us a compelling story of Sarah Root, whose death at the hands of a drunk driver is a tragedy. However, I respectfully suggest this legislation is not the answer.

This bill that she is proposing would require the mandatory detention of immigrants charged—not convicted—charged with certain crimes. The mere allegation of criminal conduct would result in months, possibly years, of detention before case adjudication.

Indefinitely detaining immigrants, regardless of whether they actually

committed a crime, regardless of circumstances, violates a principle that is deeply embedded in the American legal system: innocent until proven guilty. Under this bill, someone wrongly arrested wouldn't be eligible for individualized bond determination. This is not consistent with the basic tenets of due process in our Constitution.

Creating a new category of immigrants subject to indefinite detention for being charged also could be harmful to the survivors of domestic violence. Over 20 years ago, I was introduced to a group in Chicago. The name of the group—and I am sorry if I don't pronounce it correctly, pretty close—is *Mujeres Latinas en Accion*. This is a group that came together to try to protect undocumented mothers and wives from domestic abuse. The reason they came together was these poor women were being victimized and abused in ways unthinkable and were so afraid to report it to police because of their undocumented status. So this group of women in the community came together and said: We have to build a shelter. These women had to get away from their abusive husbands who, many times, were also abusing the children. That is what happened. Today it is still there, and it is still needed.

These survivors of domestic abuse, many times in desperation, would finally strike back at the abusive husband, and some of them were even subject to arrest for assault against the abusing husband. Under the proposal today that is being suggested by the Senator from Iowa, that woman, having been abused by that husband for so many years, finally striking back and assaulting the husband and being charged, would automatically be incarcerated. There wouldn't be a judge to consider the reality of the circumstances in her life.

Survivors of human trafficking, sexual assault, and domestic violence are often at risk of arrest initially, but many times in court, the circumstances are explained, and a different conclusion is reached.

In one study, nearly half of the incarcerated women in the study described assaults they had committed in their own defense. This bill has no exception for immigrants who are charged with crimes that resulted from their defending themselves against violence.

Let me add, too, that this bill is not necessary. Our immigration laws give to ICE the authority to detain people who are deported. In fact, there are thousands of people detained, right now, using this authority.

There is no question that our immigration system is far from perfect and is a broken system. We have a responsibility and we have authority in Congress to reform our immigration law.

If the Senator from Iowa is interested in working on bipartisan immigration reform, I welcome the opportunity to ask her to join us to try to find pragmatic, bipartisan solutions. We had an initial meeting today, a bi-

partisan meeting of Senators, to open the conversation. But trying to pass this bill by unanimous consent is not the way to approach this very complex problem. We need to roll up our sleeves and say: Let's, as Senators on a bipartisan basis, do it.

I stand ready to do so. I hope the Senator from Iowa does too. As tough as it may be, we need to tackle these issues and not ignore them as they were for the last 4 years under the previous Republican President.

For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Ms. ERNST. Madam President, I appreciate the comments of my colleague, the Senator from Illinois, but there is no doubt that we have a problem in the United States today. Our immigration system does need to be reformed, but it does need to be done in a bipartisan manner.

This, when presented as an amendment on the floor of the Senate, was a bipartisan-supported amendment, and it deals with those who are charged with bodily injury of another person or of murder. That is what happened in Sarah's case.

ICE is given the opportunity to detain an individual, but in this case, ICE chose not to, even though a young woman was murdered by a man operating under multiple assumed names with no familial ties in the area. The man was allowed to slip back into the shadows, and Sarah Root's family will likely never ever see justice.

So the pendulum swings both ways. I would much rather see Edwin Mejia face justice than allow the family of a young murdered woman to go without. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

OPIOID EPIDEMIC

Mr. CORNYN. Madam President, as we all know, over the last year, COVID-19 has taken center stage as the No. 1 public health crisis facing our Nation. No community has been spared from the devastation caused by this virus, which has claimed more than 540,000 American lives.

But beneath the surface, the problems we were facing before the pandemic still exist, and, in many cases, they are getting worse. A year of stress, isolation, and loss has taken a serious toll on America's mental health and has led to increasing rates of anxiety and depression.

These same factors have led to an increase in domestic violence as families have spent more time at home, often while battling the stress of job losses, financial difficulties, and virtual learning.

And, of course, there is the opioid epidemic, which continues to destroy communities across our country.

In 2019, there were more than 70,000 overdose deaths in America—70,000. We are still waiting on the complete figures for 2020, but preliminary data

shows that things are trending in the wrong direction. From June 2019 to May of 2020, more than 81,000 Americans have died from overdoses.

We know a significant portion of those deaths involve heroin—roughly 20 percent of those who overdosed in 2019. According to the Drug Enforcement Agency's "National Drug Threat Assessment," the vast majority of that heroin comes from Mexico, a staggering 92 percent.

As we have discussed the crisis at the border, I have talked about ways the surge of unaccompanied children affects Customs and Border Protection's ability to carry out its other missions, including stopping the flow of these illegal drugs. Time spent processing and caring for children means less time on the frontlines catching or deterring the cartels from moving their poison across the border into the United States.

A Bloomberg report last year brought another aspect of this epidemic to light: the fact that chemicals made in the United States by U.S. companies were key ingredients in the manufacturing of heroin in Mexico. One of those companies is Avantor, a Fortune 500 company that supplies chemicals and lab materials and services across a number of industries. Avantor produces millions of products, including everything from medical masks to high-quality chemicals for pharmaceuticals, to kits for science labs in schools. But the focus here is on one particular chemical—acetic anhydride.

This is an 18-liter jug of acetic anhydride, and you can see Avantor's name on the label. Avantor sells this through a subsidiary known as J.T. Baker into Mexico. Now, there are legitimate uses for acetic anhydride. It is used to make cigarette filters and chemicals used for photographic films, but this wasn't a photo taken in a chemical lab or a manufacturing plant here in the United States. This was taken by a Bloomberg reporter in Mexico who was able to purchase this chemical online, no questions asked. This should have never happened. Why? Because acetic anhydride is a highly regulated chemical, at least in the United States and, actually, around the world. Some companies even bar the importation of acetic anhydride because of its use in manufacturing illegal drugs.

But the reason it is regulated is it is a precursor in the production of heroin. That is why many countries ban the importation outright. Without this chemical, it is virtually impossible to transform opium from a poppy seed into the more lethal drug of heroin.

Acetic anhydride, as I said, is one of the most tightly controlled chemicals worldwide and has been for some time. The International Narcotics Control Board has been sounding the alarm on this dangerous chemical since the